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Attachment to:
Form PTO/SB/64 (10-00)

USSN 09/854,703

STATEMENT OF UNINTENTIONAL DELAY

The Applicants respectfully submit that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137 (b) was unintentional.

The Applicants advise that two replies have been sent relating to the Notice of Missing Parts. Copies of these replies are attached.

The Applicants are also confused by the request for late filing fee or oath or declaration surcharge requested in the second point of Notice of Missing Parts, as the Declaration was submitted at the time of the original filing of the application.

If the application has been abandoned because a Declaration was not re-submitted with the Notice of Missing Part, the Applicant respectfully submits that the requirement to submit a declaration was not clearly stated in the Notice of Missing Parts. Reference is only made to a fee requirement.

A copy of the declaration as filed with the original application papers is now attached.

The Applicants also enclose a letter advising that the status of this application has been changed to "large entity". As the status at the time of filing was "small entity", the Applicants enclose a bank draft for \$1,440 covering the original short payment of \$10 filing fee but with an increased amount for the late lodgment fee for the re-submitted declaration of \$130 (large entity). A petition fee of \$1,300 (large entity) is also included in the bank draft. Please advise if this calculation is not correct.

The Applicants respectfully requests favorable consideration of the petition as they had every intention of continuing with the prosecution of the application.

.....
Kia Silverbrook

.....
Greg McAvoy

December 12, 2003

09/854,703 00000039 09854703

770.00 DP
130.00 DP

09/12/2003 ARIUNDAF1 00000039 09854703

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130.00 DP

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ACN 066 573 671

December 12, 2003

Commissioner for Patents
Washington, District of Columbia 20231
USA

Dear Sir

United States Patent Application Serial No 09/854,703
Inventors/Assignors: Kia Silverbrook, and Greg McAvoy
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Docket No: YU106US

The status of the above application has changed from "Small Entity" to "Large Entity".

Please update your records accordingly.

Yours faithfully

Kia Silverbrook

Greg McAvoy

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/854,703	05/14/2001	Kia Silverbrook	YU106US

24011
SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

CONFIRMATION NO. 9828

FORMALITIES LETTER



OC000000007159954

Date Mailed: 12/05/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

07/24/01

COPY

The U.S. Patent and Trademark Office has received your reply on 07/11/2001 to the Notice to File Missing Parts (Notice) mailed 07/03/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 10 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 75.

*A copy of this notice **MUST** be returned with the reply.*

SK

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,144.00)

Complete if Known

Application Number	09/854,703
Filing Date	May 14, 2001
First Named Inventor	Kia Silverbrook
Examiner Name	
Art Unit	
Attorney Docket No.	YU106US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

 Deposit
Account
Number
Deposit
Account
Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	1,300
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Short payment of filing fee			10.00

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,440)

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SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kia Silverbrook	Registration No.	Telephone
Signature	Greg McAvoy	(Attorney/Agent)	+61298186633
		Date	September 2, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.